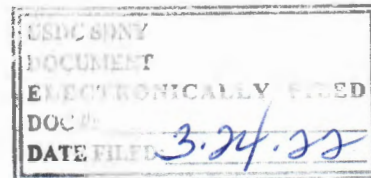


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March 23, 2022

VIA CM/ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Cerveceria Modelo de México, S. de R.L. de C.V., et al. v. CB Brand Strategies, LLC, et al.*,
Case No. 1:21-cv-01317-LAK

Dear Judge Kaplan:

We represent Defendants CB Brand Strategies, LLC, Crown Imports LLC, and Compañía Cervecería de Coahuila, S. de R.L. de C.V. (collectively, the “Defendants”) in the above-captioned action. We write pursuant to Federal Rule of Civil Procedure 5.2(d), Paragraphs 5.1 and 6.2 of the Stipulated Protective Order and Confidentiality Stipulation (“Protective Order,” Dkt. No. 47), and Your Honor’s Individual Rules of Practice to request leave to file under seal (i) portions of the March 23, 2022 Memorandum of Law in Support of Defendants’ Motion to Compel (the “Memorandum”), and (ii) an excerpted copy of the one of Plaintiffs’ expert reports, attached as **Exhibit C** to Defendants’ March 23, 2022 Motion to Compel.

Under the Protective Order, the parties may designate certain documents as “Confidential” or “Highly Confidential” and restrict their dissemination and disclosure. (*See* Dkt. No. 47, ¶¶ 1.1, 1.2.) If a court filing contains, paraphrases, summarizes, or otherwise discloses “Confidential” or “Highly Confidential” material, it must be filed under seal. (*Id.* ¶ 5.1.)

Plaintiffs have designated the entire expert report, other than the expert’s *curriculum vitae*, as “Highly Confidential” pursuant to the Protective Order. Defendants take no position on the designation of the entire report as Highly Confidential. The report does, however, contain documents and testimony designated as Confidential or Highly Confidential by Defendants in light of the confidential and commercially sensitive nature of the designated information. In turn, Defendants’ Memorandum references Plaintiffs’ expert report (Exhibit C) and certain confidential and commercially sensitive information—specifically, aspects of the brewing processes for

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Corona Hard Seltzer and Modelo Ranch Water. This information is not generally known to the public and is proprietary in nature; Defendants respectfully request to file Plaintiffs' expert report (Exhibit C) and the redacted content in Defendants' Memorandum under seal in accordance with Paragraph 5.1 of the Protective Order. *E.g., Scott D. Boras Inc. v. Sheffield*, No. 09 Civ. 8369, 2009 WL 3444937, at *1 (S.D.N.Y. Oct. 26, 2009) (permitting "redact[ions] to omit proprietary business matters").

Further, in compliance with Your Honor's Individual Rules of Practice, Defendants will file the proposed sealed documents under seal via the CM/ECF system. Pursuant to Paragraph 6.2 of the Protective Order, Defendants also will file publicly redacted forms of Plaintiffs' expert report (Exhibit C) and Defendants' Memorandum.

Respectfully,

/s/ Sandra C. Goldstein

Sandra C. Goldstein, P.C.

SO ORDERED
[Signature]
LEWIS A. KAPLAN, USDJ
3/24/22